FILED

APR 2 3 2007

U. S. DISTRICT COURT
EASTERN DISTRICT OF MO

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI

St. Louis Cardinals LLC,

Plaintiff,

v.

Douglas J. Lewis d/b/a STL PRODUCTS,

Defendant,

Case #

407CV00473CEJ

DEFENDANTS MOTION TO DISMISS

Mr. Doug Lewis having its principal address at 4143 Fox Crossing St. Louis, Mo 63034
Per the United States Constitution Bill of Rights

Amendment VII defendant is entitled to Trial by Jury and has requested same. Upon further review and retrospect Defendant says as follows.

1). The inquiry is whether the evidence presents a sufficient disagreement to require submission to a jury or whether it is so one-sided that one party must prevail as a matter of law. *Anderson v. Liberty Lobby, Inc.,447 U.S.242(1986).* The nonmoving party may not rely on its pleadings alone, but must set forth specific facts showing that there is a genuine issue for trail. *Wallin v. Dep't of Corrections, 153F.3d681,686(8th Cir. 1998),cert. Denied, 526 U.S. 1004 (1999).* Plaintiff has not set forth specific facts showing that there is a genuine issue for trial, and instead, is relying on his pleadings alone.

2). With exception of the mark "Go Cards" which is presently being opposed (#91172611) by plaintiff via the United Stated Patent and Trademark Office. Defendant has NEVER received "ANY" correspondence from Plaintiff for "ANY" of the marks in question. ***Plaintiff has NOT "First" attempted to rectify this matter;*** instead Plaintiff is relying alone on his fame influence and the court system to eliminate Defendants small business with out due process.

There are no disputed material facts for a jury to decide. Plaintiff's unnecessary filing with out as much as an informal round table ***or any correspondence*** is not conducive to basic due process and therefore, Defendant contends that Plaintiff's complaint be respectfully traversed.

WHEREFORE, Defendant prays that Case # 407CV00473CEJ

be dismissed; and for such other and further relief as the court may deem proper.

CERTIFICATE OF MAILING AND SERVICE

I certify that on April 19, 2007 an original of Defendants reply memorandum is being deposited with the United States Postal Service as First Class Mail in an envelope to:

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Dated: April 19, 2007 By ______________________
Mr. Doug J. Lewis.